

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-8 are pending in the present application. Claim 1 has been amended.

Support for the amendment can be found at least in Figures 30 and 31. Claims 4-8 have been added.

In the outstanding Office Action, Claims 1-4 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent 6,466,524 to Fujimoto. This rejection is respectfully traversed.

Claim 1 is directed to a disc recording and/or reproducing apparatus having a catching means for catching a disc to a first location, the catching means being provided in a disc mounting means for mounting the disc; a releasing means for releasing the disc from the first location after seating the disc to a turntable, whereby the seated disc is not offset in a planar direction with respect to the first location; and a separating means for separating the disc mounting means from the disc in a condition that the disc is set on the turntable.

As amended, Claim 1 further recites a reproducing means for accessing data of the disc, the reproducing means having a base fixed in location with respect to the disc recording and/or reproducing apparatus. As amended, Claim 1 further recites that the reproducing means is not offset in a planar direction during the accessing of data.

Conventionally, when a CD is inserted into a conventional apparatus, the CD is caught to a first location.¹ To reproduce the CD, the apparatus must move the CD in a planar direction to a second location, creating a clearance 400 that necessitates an unwanted increase in the size of the apparatus.² The present invention overcomes this deficiency by orienting

¹ Applicants' Specification page 2, lines 12-15.

² Applicants' Specification page 2, lines 18-24.

the disc during reproduction, so that the base of the reproducing means need not be moved in the planar direction.

In a non-limiting example, the operation of the reproducing means is shown in Figures 30 and 31. As shown, the present invention has two operation modes: an insertion/ejection mode for inserting or ejecting a CD into or from a disc storing portion 3; and a reproducing mode for reproducing a CD.³ The reproducing means 7⁴ occupies position B of Figure 30 in the insertion/ejection mode and position A of Figure 31 in the reproducing mode,⁵ and moves from one position to the other by rotating about the pivot.

Fujimoto teaches a reproducing means (“pickup unit”) 25 that moves in a planar direction to transport a CD from a transfer position to a playback position.⁶ The reproducing means 25 receives the CD by rotating to the transfer position, as shown in Figures 5A-5C,⁷ and rising to clamp the CD to the turn table 38, as shown in Figure 6E.⁸ As shown throughout these figures, and indicated by the arrow of Fig. 5C, the pickup unit is moved in the planar direction. Specifically, the reproducing means 25 and clamped CD are moved in a planar direction of the reproducing means to the playback position, as shown in Figure 6H.⁹ Accordingly, because the reproducing means 7 of the present invention is not offset in a planar direction, Applicants respectfully request that the § 102(e) rejection of Claims 1-4 as anticipated by Fujimoto be withdrawn.

New Claims 4-8 set forth the subject matter of Claims 1-4 in a varying scope, and Applicants submit that the new claims are supported by the originally-filed application. In particular, Claims 4-8 correspond to Claims 1-4, respectively, but have not been presented in

³ Applicants' Specification page 23, line 32 to page 24, line 2.

⁴ The reproducing means 7 includes the holding means 14, as shown in Figure 2.

⁵ Applicants' Specification page 24, lines 2-5.

⁶ col. 4, lines 47-51.

⁷ col. 23, lines 45-67.

⁸ col. 24, lines 1-32.

⁹ col. 24, lines 33-43.

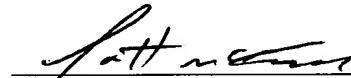
means-plus-function format. It is respectfully submitted new Claims 4-8 are allowable for the same reasons discussed above.

CONCLUSION

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Scott A. McKeown
Registration No. 42,866

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/03)

BDL/SAM/STD/mac
I:\ATTY\STD\20's\208727US\208727US.AM2.doc